

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Matthew Paul RHOTEN

Application No.: 10/692,014

Confirmation No.: 8518

Filed: October 24, 2003

Art Unit: 2131

For: PRE-LOGIN DATA ACCESS

Examiner: L. Chai

**STATEMENT OF SUBSTANCE OF INTERVIEW IN
ACCORDANCE WITH MPEP §713.04**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith a statement on the substance of the personal interview held on April 1, 2008 and a statement on the substance of the telephonic interview held on May 9, 2008.

Substance of Personal Interview on April 1, 2008

Participants: Examiner Longbit Chai; Applicants' representative Jason Rhodes (Reg. No. 47,305).

Claims Discussed: Independent claims 1 and 4.

Prior Art Discussed: U.S. Patent Application Publication No. 2002/0143772 to Gottsman (hereafter "Gottsman"); U.S. Patent No. 6,577,274 to Bajikar (hereafter "Bajikar").

General Results: No agreement was reached as to the pending claims. The examiner suggested amending the claims to remove a limitation allegedly not having sufficient support in the written description. The participants further discussed proposed claim amendments that might distinguish over Gottsman and Bajikar. The participants agreed to further discuss the proposed claim amendments via telephone.

Substance of Telephonic Interview on May 9, 2008

Participants: Examiner Longbit Chai; Applicants' representative Jason Rhodes (Reg. No. 47,305).

Claims Discussed: Claims 1, 4, 22, and 26.

General Results: Authorization was given by Applicants' representative for an Examiner's Amendment to incorporate proposed claim amendments which the Examiner agreed would overcome the prior art of record.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1. 17; particularly, extension of time fees.

Dated: July 18, 2008

Respectfully submitted,

By  #47,305

for Michael K. Mutter

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant